

USPTO

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02/12/2007 10:17 212-318-3400 FULBRIGHT JAWORSKI PAGE 03/28

Approved by: [Signature] PTO-1500 (Rev. 10/01/06)
 11.3 Patent and Trademark Office U.S. Department of Commerce
 U.S. Patent and Trademark Office U.S. Department of Commerce

**TRANSMITTAL LETTER TO THE UNITED STATES
 DESIGNATED/SELECTED OFFICE (DO/EO/US)
 CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO. PCT/DE2004/000302 INTERNATIONAL FILING DATE March 1, 2004
 NAME OF INVENTOR SUBSTRATE COMPRISING PARALLEL FILLS AND METHOD FOR APPLICATION OF THE FILLS TO THE SUBSTRATE
 APPLICANT(S) FOR DO/EO/US Hoffmann, et al.

Applicant herewith submits to the United States Patent and Trademark Office (USPTO) the following facts and other information:

- ☐ This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express refusal to begin national examination proceedings (35 U.S.C. 371.9b). The submission must include items (b), (c), (d), and (e) indicated below.
- ☐ The USPTO has been selected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ In attached hereto (required only if not communicated by the International Bureau).
 - ☐ Has been communicated by the International Bureau.
 - ☐ Is not required, as the application was filed in the United States (including PCT/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(3)).
 - ☒ Is attached hereto.
 - ☐ Has been or will be submitted under 35 U.S.C. 154(d)(5).
- ☐ Amendments to the claims of the International Application under PCT Article 17 (35 U.S.C. 371 (c)(3)).
 - ☐ Are attached hereto (required only if not communicated by the International Bureau).
 - ☐ Have been communicated by the International Bureau.
 - ☐ Have not been made; however, the filing date of the main text amendment has NOT expired.
 - ☐ Have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 17 (35 U.S.C. 371 (c)(3)).
- ☒ An English language translation of the invention (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the abstract to the International Preliminary Publication Report under PCT Article 10 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below represent requirement(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An agreement document for Marking. A separate cover sheet in accordance with 37 CFR 1.97 and 1.98 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.70.
- ☐ A statement of invention.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the application as filed in accordance with 37 CFR 1.97 and 1.98.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 371 (c)(3).
- ☒ Other items of information. Power of Attorney in separate Application under 35 U.S.C. 371 (c)(4).

Transmitted Under 37 CFR 1.70(b) - Faxed Transmittal

PAGE 1/24 RCVD AT 2/12/2007 9:41:49 AM [Eastern Daylight Time] * SVR:USPTO-EFRR-512 * DNS:2709861 * CSID:212 318 3400 * DURATION (mm-ss):05-14

JOB STATUS REPORT

TIME : 02/12/2007 10:42
 NAME : FULBRIGHT JAWORSKI
 FAX# : 212-318-3400
 TEL# : 212-318-3250
 SER.# : BR03J2515287

DATE, TIME
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PTO-1380 (Rev. 12-2004)
 Approved for use through 03/31/2007. OMB 0851-0021
 U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE
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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER NY-AFILM-204-US
INTERNATIONAL APPLICATION NO. PCT/DE2004/000392	INTERNATIONAL FILING DATE March 1, 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/591,156
TITLE OF INVENTION SUBSTRATE COMPRISING FABRY-PEROT FILTER AND METHOD FOR APPLICATION OF THE FILTER TO THE SUBSTRATE		
APPLICANT(S) FOR DO/EO/US Hoffmann, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))		
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).		
a. <input checked="" type="checkbox"/> is attached hereto.		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input type="checkbox"/> have not been made and will not be made.		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/591,156	FIRST NAMED APPLICANT Hoffmann	ATTY. DOCKET NO. NY-AFILM-204-US
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INTERNATIONAL APPLICATION NO.

PCT/DE04/00392

LA. FILING DATE	PRIORITY DATE
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03/01/2004

24972

FULBRIGHT & JAWORSKI, LLP
666 FIFTH AVE
NEW YORK, NY 10103-3198

CONFIRMATION NO. 6189

371 FORMALITIES LETTER



OC00000023632259

Date Mailed: 05/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/30/2006
- Copy of the International Search Report filed on 08/30/2006
- Preliminary Amendments filed on 08/30/2006
- Information Disclosure Statements filed on 08/30/2006
- Request for Immediate Examination filed on 08/30/2006
- U.S. Basic National Fees filed on 08/30/2006

APPLICANT: FULBRIGHT & JAWORSKI, LLP
ATTORNEY: []
DOCKETED: [] NEW YORK: [] CONFIRMATION: []
INITIALS: [] DATE: []

MAY 07 2007

ATTORNEY: []
Docket No. []
Action Req'd [] Date Due []

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

PTO-1380 (Rev. 12-2004)

Approved for use through 03/31/2007. OMB 0861-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER NY-AFILM-204-US
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/591,156
INTERNATIONAL APPLICATION NO. PCT/DE2004/000392	INTERNATIONAL FILING DATE March 1, 2004	PRIORITY DATE CLAIMED
TITLE OF INVENTION SUBSTRATE COMPRISING FABRY-PEROT FILTER AND METHOD FOR APPLICATION OF THE FILTER TO THE SUBSTRATE		
APPLICANT(S) FOR DO/EO/US Hoffmann, et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☒ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Power of Attorney to prosecute Application Before the USPTO
Statement Under 37 CFR 3.73(b)-Formal Drawings

PTO-1390 (Rev. 12-2004)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/591,156		INTERNATIONAL APPLICATION NO. PCT/DE2004/000392		ATTORNEY'S DOCKET NUMBER AFILM-204-US	
21. The following fees are submitted:				Applicant Use	Office Use Only
<input checked="" type="checkbox"/>	a) Basic national fee	\$300.00	\$	300.00	
<input checked="" type="checkbox"/>	b) Examination fee	\$200.00	\$	200.00	
<input checked="" type="checkbox"/>	c) Search fee	\$500.00	\$	500.00	
TOTAL OF ABOVE CALCULATIONS =			\$	1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0				
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims			\$		
Independent claims	=		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by %.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	
Amount to be refunded:					\$
Amount to be charged:					
a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0624</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the international Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
James R. Crawford FULBRIGHT & JAWORSKI L.L.P. 666 Fifth Avenue New York, New York 10103 (212) 318-3359 CUSTOMER NUMBER: 024972					
SIGNATURE: <u>James R. Crawford</u> NAME REGISTRATION NUMBER <u>39,155</u>					